

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

SANDRA M. PETERS, on behalf of
herself and all others similarly
situated,

Plaintiff,

v.

AETNA INC., AETNA LIFE
INSURANCE COMPANY, and
OPTUMHEALTH CARE SOLUTIONS,
INC.,

Defendants.

Case No. 1:15-cv-00109-MR

**JOINT NOTICE OF SETTLEMENT
IN PRINCIPLE AND REQUEST TO
SUSPEND PRE-TRIAL DEADLINES**

Plaintiff Sandra Peters (“Plaintiff”) and Defendants Aetna Inc. and Aetna Life Insurance Company (“Aetna”) and OptumHealth Care Solutions (“Optum,” and collectively “Defendants”) are pleased to report that the parties have reached agreement on a settlement in principle to resolve the above-captioned case, and to request that the Court suspend all current pre-trial deadlines.

After good-faith, arms-length negotiations over the course of almost a year, the parties have agreed on the central terms of a class settlement to resolve this long-pending litigation. They are preparing a term sheet reflecting the main settlement terms, and do not anticipate obstacles to execution of the term sheet.

Accordingly, the parties respectfully request that all deadlines in the current schedule (Doc. 308), the November 5 docket entry setting the Final Pretrial Conference, and the Supplemental Pretrial Order and Case Management Plan (Doc. 309) be suspended, and that the trial currently scheduled for the January 13, 2025 mixed trial term be taken off calendar.

With the Court's approval, the parties will now turn to memorialize the class settlement in a written agreement. After that, Plaintiff will prepare her motion and legal memorandum seeking preliminary approval, as well as the proposed notice to class members and a proposed plan of allocation. In light of upcoming commitments of Plaintiff's counsel, including international travel in November and a trial in mid-December, and conflicts over the upcoming holidays, the parties further request that they be given until January 31, 2025 to negotiate and finalize the written settlement agreement and for Plaintiff to file her motion for preliminary approval of the class settlement.

Respectfully submitted,

Dated: November 6, 2024

/s/ Larry McDevitt

Larry McDevitt
David M. Wilkerson
Heather Whitaker Goldstein
THE VAN WINKLE LAW FIRM
11 North Market Street
Asheville, NC 28801
(828) 258-2991
lmcdevitt@vwlawfirm.com

D. Brian Hufford (*pro hac vice*)
Jason S. Cowart (*pro hac vice*)
Nell Z. Peyser (*pro hac vice*)
ZUCKERMAN SPAEDER LLP
485 Madison Avenue, 10th Floor
New York, NY 10022
(212) 897-3434
(212) 704-4256 (fax)
dbhufford@zuckerman.com

Andrew N. Goldfarb (*pro hac vice*)
ZUCKERMAN SPAEDER LLP
1800 M Street, NW, Suite 1000
Washington, DC 20036
(202) 778-1800
(202) 822-8106 (fax)
agoldfarb@zuckerman.com

*Counsel for Plaintiff Sandra M. Peters,
on behalf of herself and all others
similarly situated*

/s/ E. Thomison Holman

E. Thomison Holman
NC Bar No. 19380
HOLMAN LAW, PLLC
56 College Street, Suite 302
Asheville, NC 28801
tom@holmanlawwnc.com
Tel: (828) 252-7381
Fax: (828) 252-5018

Earl B. Austin (*pro hac vice*)
BAKER BOTTS L.L.P.
30 Rockefeller Plaza
New York, NY 10112
earl.austin@bakerbotts.com
(212) 408-2500
(212) 408-2501 (fax)

*Counsel for Defendants Aetna Inc. and
Aetna Life Insurance Company*

/s/ Brian D. Boone

Brian D. Boone
NC Bar No. 38910
Michael R. Hoernlein
NC Bar No. 40419
Brandon C.E. Springer
NC Bar No. 54523
ALSTON & BIRD LLP
Vantage South End
1120 South Tryon St #300
Charlotte, NC 28203
Tel: (704) 444-1000
Fax: (704) 444-1111
brian.boone@alston.com
michael.hoernlein@alston.com
brandon.springer@alston.com

*Counsel for Defendant
OptumHealth Care Solutions, Inc.*

CERTIFICATE OF SERVICE

I certify that on November 6, 2024, I caused to be filed and served a copy of the Joint Status Report using the CM/ECF system, which will give notice to counsel of record.

/s/ Andrew N. Goldfarb
Andrew N. Goldfarb